

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this paper is being transmitted by FAX to the U.S. Patent and Trademark Office at 703-308-1396 on the date written below:

May 24, 2000  
Date

*Teresa Tarkenton*  
Signature

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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Scott H. Hutchinson, et al.

Serial No.: 09/233,860

Filed: January 20, 1999

For: SOFTWARE-IMPLEMENTED METHOD  
FOR IDENTIFYING NODES ON A  
NETWORK

Group Art Unit: 2763

Examiner: William D. Thomson  
(703-305-0022)

Atty. Dkt. No.: BVEW:154

ELECTION UNDER 37 C.F.R. §§ 3.71 and 3.73  
AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

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Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints D. C. Toedt III, Reg. No. 31,144, who is now in-house counsel for the Assignee at the address below, as its attorney or agent, with full power of substitution and revocation, to prosecute the application, to

U.S. Serial No. 09/233,860  
Group Art Unit 2756

alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to BindView Development Corporation, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

D. C. Toedt III  
BINDVIEW DEVELOPMENT CORPORATION  
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713-561-4001 (direct)  
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ASSIGNEE:  
BindView Development Corporation

By: D C Toedt  
D. C. Toedt III  
Vice President and General Counsel

Date: 23 May 00

Assignment previously recorded:  
Date: January 20, 1999  
Reel/Frame: 9726 / 0990

POWER OF ATTORNEY

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**BIND VIEW**

## FAX COVER PAGE

Date: May 24, 2000  
To: Examiner William Thomson  
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Pages: this cover page + 2  
Original: Will not follow

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**Re: Serial No. 09/233,860**

**Election Under 37 CFR 3.71 and 3.73 and Power of Attorney attached.**

